

EDOK Criminal Complaint (Revised 6/13)

United States District Court

EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBIN ANNETTE JOHNSON and
DIANA MARIE MCKINNEY,

Defendants.

CRIMINAL COMPLAINT

Case No. 21-MJ-187-KEW

WESTERN DISTRICT OF OKLAHOMA
CASE NO. M-21-275-AMG

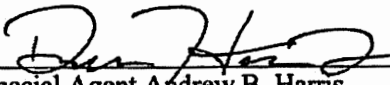
I, ANDREW B. HARRIS, the undersigned complainant, state that the following is true to the best of my knowledge and belief.

On or about June 20, 2020, in the Eastern District of Oklahoma, defendants ROBIN ANNETTE JOHNSON and DIANA MARIE MCKINNEY committed the crimes of Assault with a Dangerous Weapon, in violation of Title 18, United States Code, Sections 113(a)(3), 1151, and 1153.

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

(See attached Affidavit of Andrew B. Harris, which is attached hereto and made a part hereof by reference.)

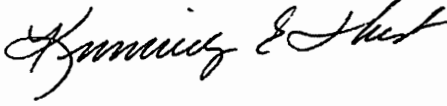
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Special Agent Andrew B. Harris
Federal Bureau of Investigation
Complainant

Sworn to before me and subscribed in my presence at: MUSKOGEE, OKLAHOMA

Date: April 23, 2021

UNITED STATES MAGISTRATE JUDGE
Name and Title of Judicial Officer


Signature of Judicial Officer



**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Special Agent Andrew Harris, being duly sworn, depose and state that:

INTRODUCTION

1. I am a Special Agent with the Federal Bureau of Investigation (FBI), and have been employed by the FBI since 2014. In my capacity as an FBI Special Agent, I have personally investigated or assisted in investigating criminal matters involving computer intrusion, fraud, money laundering, and related offenses. Based on my training and experience as an FBI Special Agent, I am familiar with the means and methods that criminals use to defraud victims. I have also become knowledgeable about the criminal statutes of the United States, particularly the statutes relating to computer intrusion (18 U.S.C. §1030), conspiracy (18 U.S.C. §371) and wire fraud (18 U.S.C. § 1343). I am authorized to obtain and execute federal arrest, search and seizure warrants. As a Special Agent with the FBI, I am a law enforcement officer of the United States as defined by 18 U.S.C. § 2510(7), meaning that I am empowered by law to conduct investigations of and to make arrests for violations of Federal law, including violations of the Major Crimes Act (MCA).

2. The statements contained in this Affidavit are based in part on information provided by other agencies, written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents; independent investigation; and my experience, training, and background as a Special Agent with the FBI. Because this Affidavit is being submitted for the limited purpose of establishing probable cause to believe that ROBIN ANNETTE JOHNSON and DIANA MARIE MCKINNEY committed the below-described offense, I have not included every detail of the investigation. In addition, unless otherwise indicated, all statements contained in this Affidavit are summaries in substance and in part. The following is true to the

best of my knowledge and belief.

PROBABLE CAUSE

3. As will be shown below, there is probable cause to believe that ROBIN ANNETTE JOHNSON, an Indian, and DIANA MARIE MCKINNEY, an Indian, committed Assault with a Dangerous Weapon in Indian County, in violation of Title 18, United States Code, Sections 113(a)(3), 1151 and 1153.

4. VENUE: The facts and circumstances alleged in this affidavit occurred within the the Eastern District of Oklahoma. Based on the Supreme Court decision in *McGirt v. Oklahoma* (2020), the below described location is within the geographic boundaries of the Choctaw Nation Reservation, and therefore is within Indian Country.

5. DEFENDANTS: The defendant ROBIN ANNETTE JOHNSON, hereinafter referred to as JOHNSON, is an enrolled member of the Choctaw Nation of Oklahoma. The defendant DIANA MARIE MCKINNEY, hereinafter referred to as MCKINNEY, is an enrolled member of the Choctaw Nation of Oklahoma.

6. OFFENSE: On or about June 20, 2020, JOHNSON and MCKINNEY unlawfully assaulted S.B. with a dangerous weapon, a knife, with intent to do bodily harm to S.B.

7. BACKGROUND: On or about June 20, 2020 at approximately 0120 hours, Idabel Police officers were notified of a possible stabbing at Traders Village located at 1301 S.E. Washington Street, Idabel, Oklahoma. After Officer Anthony Aho, Lt. Dayrl Blakely and Lt. Detective Johnny Voss arrived at the scene, they discerned that the victim, S.B., a resident of Traders Village, had been stabbed multiple times in the parking lot of Traders Village. According to Idabel Police Officers, witnesses stated that S.B. and JOHNSON had been feuding for a majority of the day. S.B. had walked over to JOHNSON's apartment located at #10 and was beating on the door of JOHNSON's apartment with a bat. JOHNSON and MCKINNEY opened the door and S.B.

punched one of them in the gut with the end of the bat he had carried. JOHNSON and MCKINNEY proceeded to attack S.B. with a knife as S.B. backed up approximately 100 feet from JOHNSON's apartment. After attacking S.B., JOHNSON and MCKINNEY walked back to JOHNSON's apartment. When Idabel Police Officers arrived on scene, S.B. was back inside of his apartment. Officers noticed a large amount of blood at S.B.'s door. After making contact with S.B., officers learned that S.B. had been stabbed multiple times. S.B. indicated to officers that "the two girls in room #10" had stabbed him. S.B. was subsequently air lifted to St. Michael's Hospital in Texarkana, Texas to obtain medical care for his injuries.

8. Idabel Police Officers knocked on JOHNSON's apartment and JOHNSON answered the door. JOHNSON and MCKINNEY admitted through excited utterances that S.B. had tried to attack them with a bat and so they only defended themselves. JOHNSON and MCKINNEY were subsequently arrested and charged with Assault and Battery with a Dangerous Weapon in McCurtain County, Oklahoma.

CONCLUSION

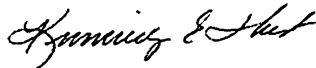
9. Based on a review of those documents and based on my knowledge and experience with violent crimes in Indian country, I, as your Affiant have probable cause to believe ROBIN ANNETTE JOHNSON and DIANA RENEE MCKINNEY, have committed the offense of Assault with a Dangerous Weapon in Indian country, in violation of Title 18 United States Code, Sections 113(a)(3), 1151 and 1153.

Respectfully Submitted,



Andrew B. Harris, Special Agent
Federal Bureau of Investigation

Sworn before me this 23rd day of April 2021.



UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF OKLAHOMA

140003521

USAO-EDOK Arrest Warrant (Revised 6/13)

United States District Court
EASTERN DISTRICT OF OKLAHOMA**UNITED STATES OF AMERICA,***Plaintiff,*

v.

**ROBIN ANNETTE JOHNSON and
DIANA MARIE MCKINNEY,***Defendants.***WARRANT OF ARREST**

Case No. 21-MJ-187-02-KEW

To: The United States Marshal and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest: **DIANA MARIE MCKINNEY**

and bring her forthwith to the nearest magistrate judge to answer a:

☐ Indictment ☐ Information ☒ Complaint ☐ Order of Court ☐ Violation Notice ☐ Probation Violation Petition

charging her with Assault with a Dangerous Weapon in Indian Country, in violation of Title 18, United States Code, Sections 113(a)(3), 1151 and 1153.

KIMBERLY E. WEST

Name of Issuing Judicial Officer



Signature of Issuing Judicial Officer

**UNITED STATES MAGISTRATE JUDGE**

Title of Issuing Judicial Officer

April 23, 2021, Muskogee, Oklahoma

Date and Location

Bail fixed at \$

by:

Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at:

DATE RECEIVED

NAME AND TITLE OF ARRESTING
OFFICER

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST